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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/938,879	08/24/2001	David J. Perro	6245.006.00	2520
30827	7590	01/10/2005	EXAMINER	
MCKENNA LONG & ALDRIDGE LLP			LE, DEBBIE M	
1900 K STREET, NW			ART UNIT	
WASHINGTON, DC 20006			PAPER NUMBER	
			2167	

DATE MAILED: 01/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/938,879

**Applicant(s)**

PERRO ET AL.

**Examiner**

DEBBIE M LE

**Art Unit**

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Response to Amendment***

Applicant's argument filed on 9/8/04. Claims 1-4 are presented for examinations.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shwe et al (US patent 6,560,590 B1) in view of Richardson et al (US patent 6,278,996 B1).

As per claim 1, Shwe discloses a system for interpreting natural language queries comprising:

providing a contextual lexicon (lexicon of term, col. 7, lines 1-35) and contextual rules (rule expansion, col. 7, lines 36-61);

receiving the natural language query (fig. 6, # 610), the natural language query having a plurality of text (set of features, col. 7, lines 3-5);

tagging the plurality of text in said natural language query using the contextual lexicon and contextual rules (col. 10, lines 35-48);

creating a structural representation of the plurality of text using a plurality of matrix rules (tree structure; query tree, fig. 3, col. 8, lines 63-67);  
generating a plurality of conceptual phrases (col. 10, lines 53-67) to be submitted to an application for interpreting the plurality of conceptual phrases using a plurality of phrase generation rules applied to the structural representation of the plurality of text (col. 9, lines 8-66, col. 11, lines 1-16).

Shwe does not explicitly teach that contextual rules relating to a context in which a term in said lexicon is used. However, Richardson teaches that 'contextual rules relating to a context in which a term in said lexicon is used' [see col. 5, lines 45-59, col. 6, lines 3-20]. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the cited references to provide the step of contextual rules relating to a context in which a term in said lexicon is used as disclosed by Richardson's system. This would allow users of Shwe's system to simplify the process of tailoring the information which is specific to all the phrase types

identified is passed to an intent matching module. The elements of the input message which are not associated with any identified phrase types are ignored and need to be passed on to intent matching module, as suggested by Richardson [see col. 6, lines 34-39].

As per claim 2, Shwe further teaches

formatting the plurality of concept phrases contained in a the concept phrase table (probability table depicts, col. 9, lines 66-67, fig. 3, elements <get\_paid>) to be understood by a search engine or database management systems application (col. 11, lines 1-9), the formatting step creating a formatted concept phrase (col. 10, lines 59-62); and

submitting the formatted concept phrase, to the search engine or database management system to extract information relevant to the concept phrase (fig. 1b, col. 4, lines 13-27).

As per claim 3, Shwe teaches formatting the plurality of concept phrases contained in a the concept phrase table (probability table depicts, col. 9, lines 66-67, fig. 3, elements <get\_paid>) to be understood by a search engine or database management systems application (col. 11, lines 1-9), the formatting step creating a formatted concept phrase (col. 10, lines 59-62);

submitting the formatted concept phrase to the search engine or database

management system to obtain extracted information relevant to the concept phrase (fig.

1b, col. 4, lines 13-27);

obtaining the extracted information from the search engine or database  
management system (col. 4, lines 28-42, col. 26-36);

generating a plurality of second concept phrases from the extracted information  
for comparison to the plurality of concept phrases (col. 5, lines 37-46);

comparing the plurality of second concept phrases to the plurality of concept  
phrases (col. 13, lines 41-67, col. 14, lines 1-14); and

ranking the extracted information in order of relevance based on the comparing  
step (abstract, the last two sentences, col. 11, lines 29-31).

Claim 4 is rejected by the same rationale as stated in independent claim 1  
arguments.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-4 have been considered but are  
moot in view of the new ground(s) of rejection.

Applicants' argued that Shwe does not teach contextual rules relating to a  
context in which a term in said lexicon is used. However, Richardson teaches this  
limitation [see col. 5, lines 45-59, col. 6, lines 3-20].

***Conclusion***

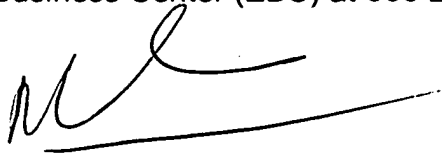
Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DEBBIE M LE whose telephone number is (571) 272-4111. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN BREENE can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



DEBBIE M LE  
Examiner  
Art Unit 2167

Debbie Le

Jan. 4, 2005.



CRETA ROBINSON  
PRIMARY EXAMINER